

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mathur, *et al.*

TECH CENTER 1600/2900

APR 23 2002

RECEIVED

Serial No.: 09/707,121

Group Art Unit: 1652

Filed: November 6, 2000

Examiner: Yong D. Pak

For: NOVEL HUMAN KINASE
PROTEIN AND
POLYNUCLEOTIDES
ENCODING THE SAME

Attorney Docket No.: LEX-0083-USA

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Box AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed December 13, 2001 and reiterated in an Advisory Action mailed March 8, 2002, finally rejecting Claims 2-4.

The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$160.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892.

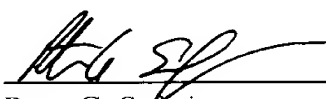
A Petition for an Extension of Time of one month and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(1) from Applicants' Representatives' deposit account are included. With this extension, the response is due on April 13, 2002, which falls on a Saturday. The period for response is therefore extended until April 15, 2002 under 37 C.F.R. § 1.7. This communication is thus

timely filed. Applicants believe no fees in addition to the fees for filing the Notice of Appeal and the extension of time are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to charge any underpayment or credit any overpayment to Lexicon Genetics Incorporated Deposit Account No. 50-0892.

Respectfully submitted,

April 15, 2002

Date



Peter G. Seferian
Agent For Applicants

Reg. No. 40,162

LEXICON GENETICS INCORPORATED
(281) 863-3110



24231

PATENT TRADEMARK OFFICE